

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 1 1974

MORTON H. HALPERIN, et al.,

Plaintiffs,

v.

HENRY A. KISSINGER, et al.,

Defendants.

JAMES E. DAVEY, CLERK

Civil Action No. 1187-73

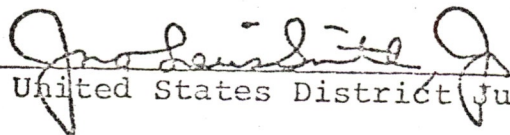
ORDER

Federal defendant Clarence M. Kelley having moved this Court for an order modifying the Order of this Court entered April 1, 1974, to permit said defendant to answer in his official capacity as a substituted defendant, pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, the Further Interrogatories dated August 8, 1973 served by the plaintiffs in Daniel Ellsberg, et al. v. John N. Mitchell, et al., Civil Action No. 1879-72 (D.D.C.), on the defendants therein, as required by the Order of this Court entered July 8, 1974 in said action; and the Court having considered the defendant's motion and being persuaded that such Order should be modified to permit said defendant to answer said Further Interrogatories openly and without restriction, it is, therefore, this 1<sup>st</sup> day of ~~September~~<sup>October</sup> 1974:

ORDERED that the fifth motion of Federal defendant Clarence M. Kelley for an order modifying this Court's Order of April 1, 1974 be, and the same hereby is, granted; and it is

FURTHER ORDERED that the Order of this Court entered April 1, 1974 be, and the same hereby is, modified to permit defendant Clarence M. Kelley to answer, in his official capacity as a substituted defendant pursuant to Rule 25(d)(1) of the Federal Rules of

Civil Procedure, openly and without restriction, the Further Interrogatories dated August 8, 1973 served by the plaintiffs in Daniel Ellsberg, et al. v. John N. Mitchell, et al., Civil Action No. 1879-72 (D.D.C.), on the defendants therein.

  
United States District Judge

CERTIFICATE OF SERVICE

I certify that on this date I served a copy of the foregoing  
proposed ORDER  
upon all parties by mailing a copy thereof to the following counsel  
of record:

Frank H. Strickler, Esquire  
815 15th Street, N.W.  
Suite 600  
Washington, D.C. 20005

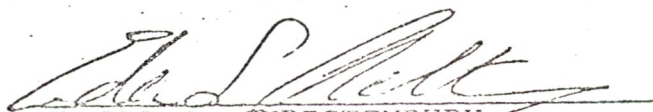
William G. Hundley, Esquire  
Hundley, Cacheris & Sharp  
1709 New York Avenue, N.W.  
Washington, D.C. 20006

Melvin L. Wulf, Esquire  
Leon Friedman, Esquire  
John Shattuck, Esquire  
American Civil Liberties  
Union Foundation  
22 East 40th Street  
New York, New York 10016

Charles R. Nesson, Esquire  
Langdell Hall  
Harvard Law School  
Cambridge, Massachusetts

Walter B. Slocombe, Esquire  
1101 17th Street, N.W.  
Washington, D.C. 20036

David E. McGiffert, Esquire  
Walter Hellerstein, Esquire  
Covington & Burling  
888 16th Street, N.W.  
Washington, D.C. 20006

  
EDWARD S. CHRISTENBURY  
Attorney, Department of Justice  
Washington, D.C. 20530  
Telephone: 202/739-3032

September 24, 1974

(N)